

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: William Henderson

Cr.: 07-00549-003

PACTS#: 48205

Name of Sentencing Judicial Officer: Honorable William H. Walls

Date of Original Sentence: 04-13-09

Original Offense: Possession of Cocaine Base (21 U.S.C. § 844 (a))

Original Sentence: Time Served (25 months); 2 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 04-13-09

PETITIONING THE COURT

- [X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside in a community corrections center, halfway house or similar residential facility for a period of six (6) months. The defendant shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

CAUSE

The offender was released immediately upon his sentencing. The offender has not secured stable housing and was not afforded the services and resources of a Residential Re-Entry Center.

Respectfully submitted,

By: Kevin Villa
U.S. Probation Officer

Date: April 20, 2009

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other

Signature of Judicial Officer

Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside in a community corrections center, halfway house or similar residential facility for a period of six (6) months. The defendant shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

Witness:


U.S. Probation Officer
Kevin Villa

Signed:


Supervised Releasee
William Henderson

4/16/09
DATE

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

April 20, 2009

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Honorable William H. Walls
United States Senior District Judge
P.O. Box 0999
Newark, New Jersey 07102-0999

RE: HENDERSON, William
Case No. 07-00549-003
**REQUEST FOR MODIFICATION TO CONDITIONS
OF SUPERVISION**

Dear Judge Walls:

On April 13, 2009, Your Honor sentenced William Henderson after his conviction for Possession of Cocaine Base (21 U.S.C. 844 (a)) to time served (25 months) and two years supervised release with the following special conditions: DNA testing, drug testing/treatment, a \$100 special assessment and a \$1,000 fine. Henderson was released from custody on the day of sentencing. At this time, we are requesting a modification to conditions of supervision due to the offender's unstable residence.

The offender was released from the Essex County Jail where he served 25 months. He was not given the opportunity for placement at the Residential Re-Entry Center (RRC) prior to his release. At the time of the offender's release, he advised our office that he was homeless, but had a temporary place to reside in Newark with a friend. The offender is 65 years old, suffers from high blood pressure and diabetes. He has no income or medical coverage. In light of these factors, we recommended to Mr. Henderson placement at the RRC (half-way house) for six months. This will provide a stable residence and allow the offender to utilize the resources provided by the RRC staff.

Mr. Henderson waived his right to a hearing and has accepted a modification to his conditions of supervision to include placement in a Residential Re-Entry Center (RRC) for a period of six (6) months.

We have attached the Form 49 and the Probation Form 12B for your review and approval. If you have any questions, please feel free to contact the undersigned officer at (973) 645-4692.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U. S. Probation Officer

By: Kevin M. Villa
U. S. Probation Officer

/kmv
attachment